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January 21, 2021

Via ECF

Honorable Ronnie Abrams, United States District Judge
United States District Court
Southern District of New York
40 Foley Square, Room 2203
New York, NY 10007

Re: Richard J. Capak v. Street Execs Management, LLC; 1:20-cv-11079-RA

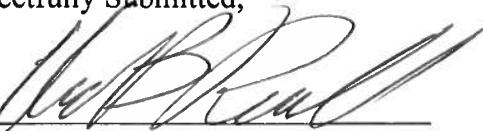
Dear Your Honor:

This letter is in response to the Defendant's motion to dismiss, attacking the Plaintiff's recently removed initial pleading. Pursuant to Your Honor's Individual Rules and Practices In Civil Cases, we are hereby advising the Court and the Defendants that we intend to rely on the initial pleading being attacked. We received this Motion, via regular mail, on January 13, the same day my office filed my appearance in the matter.

Additionally, the Plaintiff requests a twenty (20) day extension to the initial time period allowed by Local Rules to oppose the Defendant's Motion to Dismiss in this matter. Currently, by my calculations, opposition is due on January 27, 2021. We request an extension to February 16, 2021. Due to the severity of the potential consequences of said motion, counsel for the Plaintiff is making this request in order to fully advise the Plaintiff, Mr. Capak and to prepare a full opposition. Considering the length of the motion and the amount of time the Defendants put into the motion, we thank the Court for any consideration it may allow.

Finally, we request the Court set this matter down for a conference in the future, as we are requesting oral argument on the Motion to Dismiss. We thank the Court for its attention to this matter.

Respectfully Submitted,



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This case has been assigned to me as related to No. 18-CV-4325.

Plaintiff's request for an extension of time is granted. Plaintiff's opposition shall be due February 16, 2021.

The Court will inform the parties at a later date if it determines that oral argument is necessary.

SO ORDERED.



Hon. Ronnie Abrams
01/27/2021